

HOUSE BILL NO. 818

INTRODUCED BY J. TAYLOR, SINRUD

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO THE LEGISLATIVE BRANCH AND THE CONSUMER COUNSEL; ~~REVISING LAWS TO ALLOW FOR THE APPROPRIATIONS AND TO IMPLEMENT THE STATUTORY PROVISIONS GOVERNING APPROPRIATIONS FOR THE OPERATION OF THE LEGISLATIVE BRANCH AND THE CONSUMER COUNSEL; AMENDING SECTIONS 15-1-122, 17-1-507, 17-7-123, 17-7-131, 17-7-138, 17-7-139, 17-7-140, 17-7-301, 17-7-304, AND 90-4-614, MCA; AND PROVIDING AN EFFECTIVE DATES DATE.~~"

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

(Refer to Third Reading Bill)

Strike everything after the enacting clause and insert:

NEW SECTION. Section 1. First level expenditures. The agency and program appropriation tables in the legislative fiscal analyst narrative accompanying this bill, showing first level expenditures and funding for the 2009 biennium, are adopted as legislative intent.

NEW SECTION. Section 2. Severability. If any section, subsection, sentence, clause, or phrase of [this act] is for any reason held unconstitutional, the decision does not affect the validity of the remaining portions of [this act].

NEW SECTION. Section 3. Appropriation control. An appropriation item designated "Biennial" may be spent in either year of the biennium. An appropriation item designated "Restricted" may be used during the biennium only for the purpose designated by its title and as presented to the legislature. An appropriation item designated "One Time Only" or "OTO" may not be included in the present law base for the 2011 biennium. The office of budget and program planning shall establish a separate appropriation on the statewide accounting, budgeting, and human resource system for any item designated "Biennial", "Restricted", "One Time Only", or "OTO". The office of budget and program planning shall establish at least one appropriation on the statewide accounting, budgeting, and human resource system for any appropriation that appears as a separate line item in [this act].

NEW SECTION. Section 4. Program definition. As used in [this act], "program" has the same meaning as defined in 17-7-102, is consistent with the management and accountability structure established on the statewide accounting, budgeting, and human resource system, and is identified as a major subdivision of an agency ordinaly numbered with an Arabic numeral.

1 NEW SECTION. **Section 5. Personal services funding -- 2011 biennium.** Present law and new proposal funding budget requests for the 2011 biennium submitted under Title
2 17, chapter 7, part 1, by each legislative branch agency must include funding of first level personal services separate from funding of other expenditures. The funding of first level personal
3 services by accounting entity or equivalent for each fiscal year must be shown at the fourth reporting level or equivalent in the budget request for the 2011 biennium submitted by October 30
4 to the legislative fiscal analyst by the office of budget and program planning.

5
6 NEW SECTION. **Section 6. Totals not appropriations.** The totals shown in [this act] are for informational purposes only and are not appropriations.

7
8 NEW SECTION. **Section 7. Effective date.** [This act] is effective July 1, 2007.

9
10 NEW SECTION. **Section 8. Appropriations.** The following money is appropriated for the respective fiscal years:

	Fiscal 2008					Fiscal 2009					Total	
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other		
1	LEGISLATIVE BRANCH AND CONSUMER COUNSEL											
2												
3	LEGISLATIVE BRANCH (1104)											
4	1. Legislative Services (20) (Biennial)											
5	5,425,156	864,666	0	0	0	6,289,822	5,696,835	337,059	0	0	0	6,033,894
6	a. Costs of Retiring Employees (Restricted/Biennial/OTO)											
7	400,000	0	0	0	0	400,000	0	0	0	0	0	0
8	b. Technology Allowance for Legislators (Biennial)											
9	75,000	0	0	0	0	75,000	0	0	0	0	0	0
10	2. Legislative Committees and Activities (21) (Biennial)											
11	610,825	0	0	0	0	610,825	383,648	0	0	0	0	383,648
12	a. Interim Study on Mental Health (Biennial/OTO)											
13	200,000	0	0	0	0	200,000	0	0	0	0	0	0
14	3. Fiscal Analysis and Review (27) (Biennial)											
15	1,461,210	0	0	0	0	1,461,210	1,506,824	0	0	0	0	1,506,824
16	<u>A. GOVERNMENT PERFORMANCE TRAINING (RESTRICTED/BIENNIAL/OTO)</u>											
17	<u>18,900</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>18,900</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
18	4. Audit and Examination (28) (Biennial)											
19	2,169,731	1,650,570	0	0	0	3,820,301	2,249,562	1,579,822	0	0	0	3,829,384
20												
21	Total											
22	10,341,922	2,515,236	0	0	0	12,857,158	9,836,869	1,916,881	0	0	0	11,753,750
23	<u>10,360,822</u>					<u>12,876,058</u>						
24	If House Bill No. 139 is passed and approved, then Costs of Retiring Employees funding is void.											
25	If House Bill No. 438 is passed and approved, then Technology Allowance for Legislators funding is void.											
26	Interim Study on Mental Health is contingent upon passage and approval of legislation creating an interim study on mental health.											
27	CONSUMER COUNSEL (1112)											

		<u>Fiscal 2008</u>					<u>Fiscal 2009</u>						
	<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	
	<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>etary</u>			<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>etary</u>			
		<u>Revenue</u>	<u>Revenue</u>					<u>Revenue</u>	<u>Revenue</u>				
1	1.	Administration Program (01)											
2		0	1,236,461	0	0	0	1,236,461	0	1,250,977	0	0	0	1,250,977
3	a.	Contingency Reserve (Restricted)											
4		0	250,000	0	0	0	250,000	0	250,000	0	0	0	250,000
5	<hr/>												
6	Total												
7		0	1,486,461	0	0	0	1,486,461	0	1,500,977	0	0	0	1,500,977
8		-END-											